

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF PROGRAM DEVELOPMENT

FRANK H. MURKOWSKI, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

PHONE: (907) 465-4070
TTY/TDD: (907) 465-3652
FAX: (907) 465-6984

March 3, 2004

Dear Alaskans,

Re: Non-Metropolitan Local Official Consultation Process

Enclosed is the final version of the department's Non-Metropolitan Local Official Consultation Process for your use. This process fulfills the requirement of Federal Regulation 23 CFR 450.212(h)(i). It is effective as of this date.

Thank you to those who sent us your comments. We received twenty-seven comments on the process: ten from tribal governments; seven from local governments; three from business or civic organizations; three from federal agencies; two from individuals; one from an environmental advocacy group; and one from a Regional Native Corporation.

Our analysis of these comments indicated some confusion over the intent of the process: thirteen of the comments indicated the consultation process should be extended to include tribes or some other entity, other than local government; while four of the comments concerned issues that were beyond the scope of this process, and nine of the comments recommended adjustments in the process, to make it more clear and easier to follow.

In response, we added language in the opening section to clarify the limited scope of this process (extending consultation with local government officials to beyond metropolitan planning organizations), and we included a reference to our department's policy (01.03.010), for government-to-government relations with the federally recognized tribes of Alaska.

We are required, by Federal Laws 23 USC 135(e)(2)(C) and 23 USC 135(f)(1)(B)(iii), to develop the Statewide Transportation Plan (STP) and the Statewide Transportation Improvement Plan (STIP), for each area under jurisdiction of a tribal government, in consultation with the tribal government and Secretary of the Interior. We have a process in place (DOT&PF's Policy and Procedure: 01.03.010), for doing just that.

It would have been inappropriate to address the local, general-purpose, government consultation within a policy, directed to tribal governments. Similarly, it is inappropriate to include tribal government consultation in this process, whose scope only includes interaction between state and local governments. Neither process overrules the other, and each group is offered an opportunity for consultation in line with the federal and/or state law's policies and procedures. To better understand the several different laws and policies that govern consultation and public involvement, see the attached matrix.

March 3, 2004

In addition, we added text to explain how we would report the outcome of consultation, and provided greater detail in our references to the department's transportation planning regulations regarding public involvement.

Within two years we must again consult with you on how this policy is working and make changes as needed. We look forward to this next step in the process of bettering consultation with each and every interested group concerned with transportation.

This process will appear on our department's website: (www.dot.state.ak.us) on the webpage: "Public Involvement in Transportation Planning." If you have additional questions or concerns about this process, please send us email (subj: local consultation) to: stip@dot.state.ak.us or call us at 1-888-PLANDOT.

Sincerely,



Jeff Ottesen
Director

Attachment